IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY NINTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

-

WRIT PETITION NO : 20152 of 2004

Between:

T.V.Subbaiah, S/o.T.V.Thuppaiah,
R/o.Boddanapalli Gramam, Rapur Mandalam,
Nellore Dist.

..... PETITIONER

AND

1. The Andhra Pradesh State Road Transport Corporation., rep.by its Regional Manager, Kadapa.

2. The Depot Manager, APSRTC., Rayachoty, Kadapa.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of a writ of Mandamus declaring the action of the respondent in not considering petitioner's representation dt.29-07-2004 requesting the respondent to reinstate the petitioner into service.

Counsel for the Petitioner:MR.V.RAJAGOPAL REDDY

Counsel for the Respondent Nos.1 and 2 : MR.RESU.MAHENDER REDDY (SC for APSRTC)

The Court at the stage of admission made the following :

O R D E R:

The disciplinary authority without conducting any enquiry removed the petitioner from service on account of certain cash and ticket irregularities. Against the same, the petitioner preferred a review before the first respondent. The first respondent vide proceedings dated 08.12.2000 ordered to appoint the petitioner as a fresh Conductor Grade-II and that such appointment is subject to entering into fresh agreement with the respondent-Corporation duly paying the requisite security deposit. Thereafter, the Depot Manager, Jammalamadugu, did not give any posting orders to the petitioner. Hence, the petitioner made a representation dated 29.07.2004 before the respondent-Corporation to reinstate him into service as a fresh Conductor. Since the said representation was not disposed of, the petitioner has come up with the present writ petition.

Learned counsel appearing for the petitioner contended that though the petitioner was ordered to be reinstated into service as a fresh Conductor vide proceedings dated 08.12.2000, the same was not given effect to and hence, the petitioner made a representation dated 29.07.2004 requesting the first respondent to reinstate him as a fresh Conductor, but no order of reinstatement has been passed. Therefore, he requests to direct the respondents to consider his representation dated 29-07-2004.

The facts are in narrow compass. The disciplinary authority having found that the petitioner committed certain cash and ticket irregularities removed him from service. Against which, the petitioner preferred review, which was allowed by order dated 08.12.2000, ordering to reinstate the petitioner into service as a fresh Conductor Gr.II subject to entering into fresh agreement with the respondent-Corporation duly paying the requisite security deposit. Pursuant to the proceedings dated 08.12.2000, the petitioner made a representation dated 29.07.2004 before the first respondent to reinstate him into service as a fresh Conductor. Since the first respondent vide proceedings dated 08.12.2000 ordered for reinstatement, the Depot Manager, Jammalamadugu, is bound to reinstate the petitioner into service as a

fresh Grade-II Conductor.

In that view of the matter, the Writ Petition is allowed with a direction to the respondents to consider the representation of the petitioner dated 29.07.2004 as per the proceedings of the Regional Manager, APSRTC, Kadapa, dated 08.12.2000.

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29-11-2004

prv/usd

To

1 The Regional Manager, A.P.S.R.T.C., Kadapa.
2 The Depot Manager, APSRTC., Rayachoty, Kadapa.

3 Two CD copies